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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/660,852	09/13/2000	Gerard Vahee	END920000075US1	7942
7590 03/25/2008				
John R. Pivnichny IBM, N50/040-4 1701 North Street Endicott, NY 13760			EXAMINER FRENEL, VANEL	
			ART UNIT 3687	PAPER NUMBER
			MAIL DATE 03/25/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/660,852

Applicant(s)

VAHEE ET AL.

Examiner

VANEL FRENEL

Art Unit

3687

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
- Paper No(s)/Mail Date: _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Notice to Applicant

1. This communication is in response to the Appeal Brief Filed on 12/18/07. Claims 1-12 are pending.

2. In view of the Appeal Brief filed on 9/20/06, PROSECUTION IS HEREBY REOPENED as set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 C.F.R 1.111 (if this Office action is non-final) or a reply under 37 C.F.R 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplement appeal brief, but no new amendments, affidavits (37 C.F.R 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 C.F.R 1.193) (b)(2).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lungren et al (6,092,050) in view of Fredell et al (2001/0028364).

(A) As per claim 1, Lungren discloses a process for managing a project, comprising the steps of: building a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31).

Lungren does not explicitly disclose that the process having entering said project management data model in a relational database; building a project management data model tool having web pages from said text and graphical data; generating hyperlinks in said web pages of said tool based on said relationship in said relational database; and using said tool to manage said project.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests that the process having entering said project management data model in a relational database (See Fredell, Fig.1; Page 3, Paragraphs 0039-0040); building a project management data model tool having web pages from said text and graphical data (See Fredell, Page 6, Paragraphs 0086-0088); generating hyperlinks in said web pages of said tool based on said relationship in said relational database (See Fredell, Page 6, Paragraphs 0086-0088); and using said tool to manage said project (See Fredell, Page 6, Paragraphs 0086-0088).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the

motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(B) As per claim 2, Fredell discloses the process wherein said text includes guidance based on experience (See Fredell, Page 2, Paragraph 0018).

The motivation for combining the respective teachings of Lungren and Fredell are as discussed above in the rejection of claim 1, and incorporated herein.

(C) As per claim 3, Lungren discloses the process wherein said text has been entered in a word processor (See Lungren, Col.4, lines 1-12).

(D) As per claim 4, Lungren discloses the process wherein said graphical data is entered in an image processing application program (See Lungren, Col.4, lines 38-67).

(E) As per claim 5, Lungren discloses project management data model comprises a project definition process (See Lungren, Col.6, lines 44-67), a change management process (See Lungren, Col.8, lines 22-65), a risk management tool (See Lungren, and an issue management tool (See Lungren, Fig.5; Col.10, lines 35-64).

(F) As per claim 6, Fredell discloses the process further comprising the step of parsing said text data by adding tags identifying the nature, beginning, and end of said entities described by text data and storing said parsed text data in said relational database (See Fredell, Fig.5; Page 3, Paragraph 0011).

(G) As per claim 7, Lungren discloses a business process for transforming a business need into a strategy for providing a solution which meets said need, comprising the steps: defining said business need (See Lungren, Col.5, lines 45-65); building in response to said business need, a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31).

Lungren does not explicitly disclose entering said project management data model in a relational database; building a project management data model tool comprising web pages from said text and graphical data, generating hyperlinks in said web pages of said tool based on said relationship in said relational database; and operating said tool to provide a solution which meets said need.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests entering said project management data model in a relational database (See Fredell, Page 6, Paragraphs 0086-0088)); building a project management data model tool comprising web pages from said text and graphical data (See Fredell, Page 6, Paragraphs 0086-0088); generating hyperlinks in said web pages of said tool based on said relationship in said relational database (See Fredell, Page 6, Paragraphs 0086-0088); and operating said tool to provide a solution which meets said need (See Fredell, Page 6, Paragraphs 0086-0088).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the

motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(H) As per claim 8, Lungren discloses a system for project management, comprising: a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31).

Lungren does not explicitly disclose that the system having a relational database containing said model; a project management tool having web pages generated from said text and graphical data; hyperlinks in said web pages of said tool based on said relationship in said relational database; and computer means for operating said tool and said data model to manage a project.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests that the system having a relational database containing said model (See Fredell, Fig.1; Page 6, Paragraphs 0086-0087); a project management tool having web pages generated from said text and graphical data (See Fredell, Page 6, Paragraphs 0086-0088); hyperlinks in said web pages of said tool based on said relationship in said relational database (See Fredell, Page 6, Paragraphs 0086-0088); and computer means for operating said tool and said data model to manage a project (See Fredell, Page 6, Paragraphs 0086-0088).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the

motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(I) As per claim 9, Lungren discloses a project management tool, comprising: a plurality of process listings, each said process listing providing guidance about how to undertake an activity (See Lungren, Fig.25; Col.10, lines 53-67); a plurality of work patterns, each said work pattern describing a response to a project management situation and having threads throughout said plurality of process listings (See Lungren; Col.11, lines 5-65).

Lungren does not explicitly disclose a plurality of work product documents linked to said plurality of process listings, said documents describing items used to manage a project; word processor templates for said work product documents describing plans, procedures, and records and procedures for said process listings.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests that the project management having a plurality of work product documents linked to said plurality of process listings, said documents describing items used to manage a project (See Fredell, Page 7, Paragraphs 0092-0095); word processor templates for said work product documents describing plans, procedures, and records and procedures for said process listings (See Fredell, Page 7, Paragraphs 0092-0095).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the

motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(J) As per claim 10, Lungren discloses a system for managing projects within an enterprise, comprising: a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31).

Lungren does not explicitly disclose that the system having a relational database containing said model.

a project management tool having web pages generated from said text and graphical data; hyperlinks in said web pages of said tool based on said relationship in said relational database; and computer means for operating said tool and said data model to manage said projects within said enterprise.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests a relational database containing said model (See Fredell, Fig.1; Page 6, Paragraphs 0086-0087); a project management tool having web pages generated from said text and graphical data (See Fredell, Fig.1; Page 6, Paragraphs 0086-0087); hyperlinks in said web pages of said tool based on said relationship in said relational database (See Fredell, Fig.4; Page 6, Paragraphs 0086-0088); and computer means for operating said tool and said data model to manage said projects within said enterprise (See Fredell, Page 6, Paragraphs 0086-0088).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(K) As per claim 11, Lungren discloses a project management system implemented on a computer system, said project management system comprising: means for building a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31).

Lungren does not explicitly disclose that the project having a means for entering said project management data model in a relational database; means for building a project management tool comprising web pages from said text and graphical data; means for generating hyperlinks in said web pages of said tool based on said relationships in said relational database; and means for using said tool to manage said project.

However, these features are known in the art, as evidenced by Fredell. In particular, Fredell suggests that the project having a means for building a project management tool comprising web pages from said text and graphical data (See Fredell, Page 6, Paragraphs 0086-0088); means for generating hyperlinks in said web pages of said tool based on said relationships in said relational database (See Fredell, Page 6, Paragraphs 0086-0088); and means for using said tool to manage said project (See Fredell, Page 6, Paragraphs 0086-0088).

It would have been obvious to one of ordinary skill in the art at the time of the invention to have included the features of Fredell within the system of Lungren with the motivation of providing a database which configured to store project-related information including project documentation (See Fredell, Page 2, Paragraph 0011).

(L) Claim 12 differs from claims 1, 7-11 by reciting a computer program product for instructing a processor to provide a method of project management, said computer program product comprising.

As per this limitation it is noted that Lungren discloses a computer readable medium (See Lungren, Col.3, lines 45-61); first program instruction means for building a project management data model having entities and relationships described by text and graphical data (See Lungren, Abstract; Col.1, lines 5-31) and Fredell discloses second program instruction means for entering said project management data model in a relational database (Fredell, Page 6, Paragraphs 0086-0088); third program instruction means for building a project management tool comprising web pages from said text and graphical data (See Fredell, Page 6, Paragraphs 0086-0088); fourth program instruction means for generating hyperlinks in said web pages of said tool based on said relationships in said relational database (See Fredell, Page 6, Paragraphs 0086-0088); fifth program instruction means for using said tool to manage said project (See Fredell, Page 6, Paragraphs 0086-0088); and wherein all said program instruction means are recorded on said medium (See Fredell, Page 2, Paragraphs 0016-0018).

Thus, it is readily apparent these prior art systems utilize a computer program product for instructing a processor to provide a method of project management, said computer program product to perform their specified function.

The remainder of claim 12 is rejected for the same reasons given above for claims 1, 7-11, and, are incorporated herein.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VANEL FRENEL whose telephone number is (571)272-6769. The examiner can normally be reached on 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Gart can be reached on 571-272-3955. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3600

/Vanel Frenel/

Primary Examiner, Art Unit 3687

March 14, 2008